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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|---------------------|------------------|
| 09/891,951 | 06/26/2001 | David Abramson | DSTC-A | 1679 |
| 7590 | 12/03/2004 | | EXAMINER | |
| LOUIS F. WAGNER, ESQ. BUCKINGHAM, DOLITTLE & BURROUGHS, LLP, 50 SOUTH MAIN STREET, P.O. BOX 1500 AKRON,, OH 44309-1500 | | | YUAN, ALMARI ROMERO | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 2176 | |
| DATE MAILED: 12/03/2004 | | | | |

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | |
|------------------------------|------------------------|---------------------|
| Office Action Summary | Application No. | Applicant(s) |
| | 09/891,951 | ABRAMSON ET AL. |
| | Examiner | Art Unit |
| | Almari Yuan | 2176 |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 25 July 2001.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-10 is/are pending in the application.
 - 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-10 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 26 June 2001 is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date <u>7/25/01</u> . | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is responsive to communications: Application filed on 06/26/01 and Information Disclosure Statement filed on 7/25/01.
2. Claims 1-10 are pending in the case. Claims 1, 9, and 10 are independent claims.

Priority

3. Acknowledgment is made of applicant's claim for foreign priority based on an application filed in Australia on 6/26/2000. It is noted, however, that applicant has not filed a certified copy of the PQ8365 application as required by 35 U.S.C. 119(b).

Information Disclosure Statement

4. The information disclosure statement (IDS) submitted on 7/25/01 has been considered by the Examiner.

Claim Rejections - 35 USC § 103

5. **Claims 1-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Alder et al. (USPN 6,138,130 – filed on 06/1998) in view of Sonoyama et al. (USPN 6,349,315 B1 – filed 12/1997).**

Regarding independent claims 1, 9, and 10, Alder discloses:

A computer of the form having one or more processors, timing means associated with said processors, memory means for storing results of calculations, and display means when programmed to perform a parallel execution process including the steps of:

defining at least one custom function that passes arguments and a function identifier to an evaluation process from a spreadsheet cell for parallel evaluation of said custom function (Alder on col. 5, lines 30-33 and col. 10, lines 6-28 teaches each formula has at least one object as an argument and at least one operator for operating on the at least one object; on col. 5, lines 52-67 teaches associating each object and each formula with each cell and correspondingly evaluates each formula and re-evaluating each formula if a value within the at least one object changes and means for re-associating the result of each formula with each cell and on col. 4, line 67 – col. 5, line 3 teaches generating custom scripts to perform functions to manipulation existing objects within the spreadsheet);

returning said interim result to said spreadsheet cell during a first evaluation cycle controlled by said timing means (Alder on col. 5, lines 52-60 teaches associating a result of each formula with each cell containing each formula after first evaluation of the formula and on col. 8, lines 5-25 teaches “timing means” based on the formula of real-time Timeseries, each time the data is updated, the formula is re-evaluated and the updated result re-associates with the cell holding the formula);

forcing reevaluation of said spreadsheet cell (Alder on col. 5, lines 61-67 and col. 8, lines 5-25 teaches re-evaluating each formula within the cell); and

returning said final result from said evaluation table to said spreadsheet cell for display on said display means (Alder on col. 9, lines 61-65 teaches displaying the objects, and/or results obtained from the evaluation of formulas).

Alder discloses “memory means for storing interim and final results” on col. 14, lines 22-25 teaches storing formulas and their respective results in memory.

However, Alder does not explicitly disclose “constructing *an evaluation table* ”.

Sonoyama discloses color tables, which stores evaluation conditions of the data of said cells (col. 9, lines 15-22).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified Sonoyama into Alder to provide a table storing evaluation conditions of the data within cells, as taught by Sonoyama, incorporated into the evaluation system of Alder, in order to define the color for each cell to be easily distinguished from others.

Regarding dependent claim 2, Alder discloses:

wherein the evaluation process distributes the calculation to one or more processors (Alder on col. 5, lines 39-46 teaches computer systems designated as servers primarily function to retrieve data and perform evaluation and re-evaluations of formulae upon such data).

Regarding dependent claims 3-4, Alder discloses:

wherein the interim result may have states of under evaluation, unevaluated or evaluated (Alder on col. 13, lines 43-58 teaches the value within the object operated on a particular format changes which may invoke the evaluation process).

Regarding dependent claim 5, Alder discloses:

wherein the step of returning interim results to said spreadsheet cell displays an error in said spreadsheet cell when a value of said interim result is undefined (Alder on col. 16, lines 37-41 teaches if no data or formula is previously associated with a cell then nothing appears in the text edit field).

Regarding dependent claim 6, Alder discloses:

wherein there are multiple custom functions and the method is repeated until all custom functions are evaluated (Alder on col. 20, lines 39-44 teaches two re-evaluation with respect to the formulas in two different groups of cells).

Regarding dependent claim 7, Alder discloses:

wherein the custom function is an arbitrary executable program which takes parameters from the spreadsheet cell and returns the final result to the spreadsheet cell (on col. 4, line 67 – col. 5, line 3 teaches generating custom scripts to perform functions to manipulation existing objects within the spreadsheet).

Regarding dependent claim 8, Alder discloses:

wherein the step of forcing reevaluation of said spreadsheet cell uses a technique selected from built-in automatic re-evaluation command complete re-evaluation or command partial re-evaluation (Alder on col. 5, lines 61-67 and col. 8, lines 5-25 teaches automatically re-evaluating each formula within the cell) .

Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Almari Yuan whose telephone number is 571-272-4104. The examiner can normally be reached on Mondays - Fridays (8:30am - 5:00pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Feild, can be reached on 571-272-4090. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

AY
November 23, 2004



SANJIV SHAH
PRIMARY EXAMINER